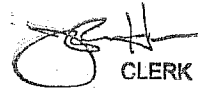


FILED

JUL 24 2012

 CLERK

Thomas Jensen 1315299  
Name and Prisoner/Booking Number

Pennington County Jail  
Place of Confinement

307 Saint Joseph ST  
Mailing Address

Rapid City, S.D. 57701  
City, State, Zip Code

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
Western DIVISION

Thomas Jackie Jensen  
(Full Name of Plaintiff)

Plaintiff,

vs.  
U.S. Department of Justice  
Federal Bureau of Prisons  
Richard W. Schott

(Full Name of Each Defendant)

Defendants.

Case No. 12-5052  
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT  
BY A PRISONER

- ☒ Original Complaint  
☐ First Amended Complaint  
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:
- ☐ 28 U.S.C. § 1343(a)(3); 42 U.S.C. § 1983
  - ☒ 28 U.S.C. § 1331; *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).
  - ☐ Other: (Please specify.) \_\_\_\_\_

2. Name of Plaintiff: Thomas Jensen  
Present mailing address: Pennington County Jail 307 St. Joseph ST Rapid City, SD 57701  
(Failure to notify the Court of any change of address may result in dismissal of this action.)

Institution/city where violation occurred: F.B.O.P. P.O. Box 474701 Des Moines IA 50347-0001

3. Name of first Defendant: U.S Dept. of Justice. The first Defendant is employed as:  
Judicial US Government at Washington DC  
(Position and Title) (Institution)  
This Defendant is sued in his/her: ☐ individual capacity ☒ official capacity (check one or both)  
Explain how this Defendant was acting under color of law: They are the  
Head office of the Prison institutions
4. Name of second Defendant: Federal Bureau  
of Prisons. The second Defendant is employed as:  
Lock Box Officer at F.B.O.P P.O. Box 474701 Des Moines IA 50347-0001  
(Position and Title) (Institution)  
This Defendant is sued in his/her: ☐ individual capacity ☒ official capacity (check one or both)  
Explain how this Defendant was acting under color of law: They are the office  
who gathers and distributes monies from Federal prisoners
5. Name of third Defendant: Richard W. Schott. The third Defendant is employed as:  
Regional Counsel at FBOP 400 State Ave Topeka KS 66601  
(Position and Title) (Institution)  
This Defendant is sued in his/her: ☒ individual capacity ☐ official capacity (check one or both)  
Explain how this Defendant was acting under color of law: \_\_\_\_\_
6. Name of fourth Defendant: \_\_\_\_\_. The fourth Defendant is employed as:  
\_\_\_\_\_ at \_\_\_\_\_  
(Position and Title) (Institution)  
This Defendant is sued in his/her: ☐ individual capacity ☐ official capacity (check one or both)  
Explain how this Defendant was acting under color of law: \_\_\_\_\_

(If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.)

## B. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If your answer is "yes," how many lawsuits have you filed? 1. Describe the previous lawsuits in the spaces provided below.
3. First prior lawsuit:  
a. Parties to previous lawsuit: Pennington County Jail and Thomas Jensen  
Plaintiff: Thomas Jensen  
Defendants: Pennington County Jail - Don Holbury, Lorie Good, Lyn Banning  
Mr. Murche Lt. McDonald

- b. Court: (If federal court, identify the district; if state court, identify the county.) Remington County
- c. Case or docket number: \_\_\_\_\_
- d. Claims raised: Receiving mail as a legal right
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) Case was dismissed
- f. Approximate date lawsuit was filed: July 8 2008
- g. Approximate date of disposition: September 20 2008

4. Second prior lawsuit:

- a. Parties to previous lawsuit:  
Plaintiff: \_\_\_\_\_  
Defendants: \_\_\_\_\_
- b. Court: (If federal court, identify the district; if state court, identify the county.) \_\_\_\_\_
- c. Case or docket number: \_\_\_\_\_
- d. Claims raised: \_\_\_\_\_
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
- f. Approximate date lawsuit was filed: \_\_\_\_\_
- g. Approximate date of disposition: \_\_\_\_\_

5. Third prior lawsuit:

- a. Parties to previous lawsuit:  
Plaintiff: \_\_\_\_\_  
Defendants: \_\_\_\_\_
- b. Court: (If federal court, identify the district; if state court, identify the county.) \_\_\_\_\_
- c. Case or docket number: \_\_\_\_\_
- d. Claims raised: \_\_\_\_\_
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
- f. Approximate date lawsuit was filed: \_\_\_\_\_
- g. Approximate date of disposition: \_\_\_\_\_

(If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.)

## C. CAUSE OF ACTION

## COUNT I

1. The following constitutional or other federal right has been violated by the Defendant(s): Withholding of money in my lock Box account in Des Moines IA

2. Count I involves: (Check **only one**; if your claim involves more than one issue, each issued should be stated in a different count)
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Medical care                  | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Mail  |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Retaliation         | <input type="checkbox"/> Exercise of religion                            |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety    | <input checked="" type="checkbox"/> Other: <u>Prisoner account funds</u> |

3. **Supporting Facts:** (State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do to violate your rights. State the facts clearly in your own words without citing legal authority or arguments).

Before I had left Federal Bureau of Prisons, U.S. Medical Center for Federal Prisoners, I had given a form to my counselor Williams to have my money taken out and sent to my father. This was May 10 2011. I have tried many times to get my money sent to me or my father. I have never receive any reply or word from them yet.

4. **Injury:** (State how you have been injured by the actions or inactions of the Defendant(s)).

I have had mental anguish as in a 2244 Case in mental abuse

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Count I? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Count I to the highest level? ☐ Yes ☒ No
- d. If you did not submit or appeal a request for administrative relief to the highest level, briefly explain why you did not. I felt that I did not have to due to lack of time procedure,

**D. REQUEST FOR RELIEF**

State briefly what you want the Court to do for you.

*I would like for the court to motion for request  
of funds of \$273.88 cents. And a motion for  
mental anguish of 1,000\$ dollars due to mental  
breakdown*

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7-20-12  
DATE

*Thomas Jensen*  
SIGNATURE OF PLAINTIFF

\_\_\_\_\_  
(Name and title or paralegal, legal assistant, or  
other person who helped prepare this complaint)

\_\_\_\_\_  
(Signature of attorney, if any)

\_\_\_\_\_  
(Attorney's address & telephone number)

**ADDITIONAL PAGES**

All questions must be answered concisely in the proper space on the form. If needed, you may attach additional pages. The form, however, must be completely filled in to the extent applicable.